

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

3/13/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CV03-00476KSC

CASE NAME: Ofelia Coloyan v. William P. Badua, et al.

ATTYS FOR PLA: Arthur Ross
Rory Toomey

ATTYS FOR DEFT: Marie Gavigan
Kendra Kawai

INTERPRETER:

JUDGE: Kevin S. C. Chang

REPORTER: FTR C5

DATE: 3/13/2006

TIME: 1:26:33-2:45:49pm

COURT ACTION: EP:

1. Plaintiff's Motion in Limine Re Exclusion of All Evidence of the Alleged Criminal Conduct of Allen Coloyan
2. Plaintiff's Motion in Limine Re Exclusion of All Evidence of Injuries to Any of the Defendants that Occured in the Line of Duty
3. Plaintiff's Motion in Limine Re Exclusion of All Evidence that the Arrest Warrant for Allen Coloyan was Signed by Kevin S. C. Chang
4. Defendants William P. Badua, Spencer Anderson and Jeffrey Omai's Motion in Limine No. 1 Re: Precluding Testimony Regarding Police Talking to Plaintiff's Neighbors
5. Defendants William P. Badua, Spencer Anderson and Jeffrey Omai's Motion in Limine No. 2 Re: Precluding Testimony of Lee Donohue and/or Testimony Regarding a Code of Silence
6. Defendants William P. Badua, Spencer Anderson and Jeffrey Omai's Motion in Limine No. 3 Re: Precluding Steven M. C. Lum, M. D. from Testifying as an Expert Witness
7. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 4 Re: Precluding Testimony Regarding Service of Complaint Upon Each Defendant
8. Defendants William P. Badua, Jeffrey Omai, and Spencer Anderson's Motion in Limine No. 5 Re: Adherence to Proper Trial Procedure and Evidentiary Rules
9. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 6 Re: Limiting Scope of Trial to Claims in Fourth Amended Complaint

10. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 7 Re: Precluding Plaintiff's Expert Witness' Testimony and Report
11. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 8 Re: Precluding Any Hearsay Testimony and Exhibits
12. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 9 Re: Unsealing Federal Arrest Warrant for Allan Coloyan
13. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 10 Re: Precluding Testimony as to Defendant Badua's Phone Conversation with Defense Counsel

1. Plaintiff's Motion in Limine Re Exclusion of All Evidence of the Alleged Criminal Conduct of Allen Coloyan. Motion granted in part and denied in part.
2. Plaintiff's Motion in Limine Re Exclusion of All Evidence of Injuries to Any of the Defendants that Occured in the Line of Duty. Motion granted.
3. Plaintiff's Motion in Limine Re Exclusion of All Evidence that the Arrest Warrant for Allen Coloyan was Signed by Kevin S. C. Chang. Motion granted.
4. Defendants William P. Badua, Spencer Anderson and Jeffrey Omai's Motion in Limine No. 1 Re: Precluding Testimony Regarding Police Talking to Plaintiff's Neighbors. Motion granted in part and denied in part.
5. Defendants William P. Badua, Spencer Anderson and Jeffrey Omai's Motion in Limine No. 2 Re: Precluding Testimony of Lee Donohue and/or Testimony Regarding a Code of Silence. Motion granted.
6. Defendants William P. Badua, Spencer Anderson and Jeffrey Omai's Motion in Limine No. 3 Re: Precluding Steven M. C. Lum, M. D. from Testifying as an Expert Witness. Motion denied.
7. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 4 Re: Precluding Testimony Regarding Service of Complaint Upon Each Defendant. Motion granted.
8. Defendants William P. Badua, Jeffrey Omai, and Spencer Anderson's Motion in Limine No. 5 Re: Adherence to Proper Trial Procedure and Evidentiary Rules. Motion granted.
9. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 6 Re: Limiting Scope of Trial to Claims in Fourth Amended Complaint. Motion denied without prejudice.
10. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 7 Re: Precluding Plaintiff's Expert Witness' Testimony and Report. Motion

granted.

11. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 8 Re: Precluding Any Hearsay Testimony and Exhibits. Motion denied without prejudice.

12. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 9 Re: Unsealing Federal Arrest Warrant for Allan Coloyan. Motion granted.

13. Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Motion in Limine No. 10 Re: Precluding Testimony as to Defendant Badua's Phone Conversation with Defense Counsel. Motion granted.

Court to prepare the orders

Objections to the proposed deposition testimony of Dr. Eliashof noted and objections ruled on by the court. Defense counsel to advise the videographer of the court's ruling and the video tape deposition will be edited accordingly.

Plaintiff's oral request to strike the entire deposition of Dr. Eliashof is denied. The objection by plaintiff is noted but overruled.

Exhibit 1 to the opposition to defendant's designation of Dr. Eliashof's testimony shall be marked as Plaintiff's Exhibit 50.

Submitted by: Shari Afuso, Courtroom Manager